is getting totally ridiculous. Is the Government aware of the need to bring forward such a legislation?

SHRI K. VIJAYA BHASKARA REDDY: Sir, not at this stage. There are a number of reasons for a low percentage. At a number of places for some reasons the whole, entire villages boycott elections. How can you say, as long as the existing rules are there, suppose a low percentage is there, that the man who gets majority, is not elected? In future also we must educate the voter to come and vote and see that the percentage increases. But the point which the hon. Member has raised at this stage, the Government is not considering.

SHRI SUKOMAL SEN: Taking cue from what Mr. Jaipal Reddy has said—his question is valid, but the Minister's reply is not clear—in the last elections in Assam or the previous election in Kashmir or the latest election in Punjab, it has been seen that a negligible percentage of votes has been cast, and Members have been declared elected. True, certain political parties declared boycott etc. Taking for granted all these things, that this boycott may continue, a boycott may happen, a member getting elected by 5 per cent vote or 1 per cent vote does not represent any popular opinion. In that case I would like to know from the hon. Minister if the Government of India is prepared to give a fresh look to the Representation of the People Act to make suitable amendments so that in such circumstances certain minimum percentage is ensured for getting any Member elected. Such things must be there in the Representation of the People Act. These things, as happened in Assam earlier and in Punjab now, should not be allowed to continue for long.

SHRI K. VIJAYA BHASKARA REDDY: I must congratulate the voters in Punjab for having come forward and elected a Government there. (*Interruptions*) Yes, it is a fact. We must congratulate. Under what circumstances did the voters come to the polling booth? (*Interruptions*)

SHRI DIPEN GHOSH: Sir, is the Minister prepared to lay the entire statistics on the Table?

SHRI K. VIJAYA BHASKARA REDDY: Sir, theirs is a different version, but the fact is, in the circumstances that obtained in Punjab, if the voters came and voted for the Government, definitely they deserve congratulations. (*Interruptions*)

MR. CHAIRMAN: Let congratulations be out. Let us come to the answer.

SHRI K. VIJAYA BHASKARA REDDY: The answer is that at present there is no other alternative except to accept what it is. We are not thinking of any amendment on the lines suggested by the hon Member.

MR. CHAIRMAN: Mr. Sukomal Sen, do you remember there have been cases where people elected were those who had forfeited the security deposit? You must be knowing that. There have been many such cases, if not in the first election, certainly in the following elections.

SHRI PRAMOD MAHAJAN: Unless the law is amended, the people who forfeit the deposits will .. (*Interruptions*)

MR. CHAIRMAN: It has not been done yet. They can consider this suggestion of yours.

Disposal of accumulated cases in Supreme Court and High Courts

*163. SHRI S. MADHAVAN: Will the Minister of LAW, JUSTICE AND COMPANY AFFAIRS be pleased to state:

(a) what steps are being taken to dispose of the accumulated arrears

of cases pending in the Supreme Court and the various High Courts, and

(b) whether any report of a committee of Judges giving suggestions to expedite the disposal of pending cases was received by Government and if so, what steps have been taken to implement their suggestions?

THE MINISTER OF STATE IN THE MINISTRY OF PARLIAMENTARY AFFAIRS AND THE MINISTER OF STATE IN THE MINISTRY OF LAW, JUSTICE AND COMPANY AFFAIRS (SHRI RANGARAJAN KUMARAMANGALAM): (a) Government is endeavouring to increase the judge strength, to improve the service conditions of the judges and to help the Judiciary in general to improve their functioning. Steps such as improving the procedures, grouping of cases involving common questions of law, giving priority to cases requiring quick disposal, constitution of specialised benches, etc. have been undertaken by the High Courts. The Supreme Court have taken steps to expedite hearing of cases by rearranging the business of the Court, grouping of cases involving common issues, use of computer, etc.

(b) Yes, Sir. The various recommendations of the Arrears Committee have been examined and commended to all the High Courts, State Governments and Central Ministries for necessary follow-up action. These recommendations include procedural and jurisdictional reforms, avoidance/reduction of litigation etc.

SHRI S. MADHAVAN: I would like to know whether the strength of the Judges in the Supreme Court and High Courts will be reviewed constantly and the stregth of the judges will be increased according to the increase in the workload in those courts, or at least they may be permitted to appoint *ad hoc* judges to dispose of the accumulated arrears. Appointment of judges in the High Courts is delayed now because there are various power centres, the State centre, High Courts, the Supreme Court and other things. Is there any proposal to constitute an independent jurist committee to select judges? Will the Government formulate a new simplified procedure to appoint the judges expeditiously and avoid undue delay?

THE MINISTER OF LAW, JUSTICE AND COMPANY AFFAIRS (SHRI K. VIJAYA BHASKARA REDDY): We constantly review the strength of the Supreme Court and High Court judges. In a number of cases we go on increasing the strength. In the appointment of judges also there is not much of delay. In the Supreme Court there are only two vacancies and they also will be filled up very soon. As far as the High Courts are concerned, we are trying to see that all the vacancies are filled up. Out of 515, there are only 35 vacancies now, but even there we are trying to fill them up as early as possible. But there is a procedure which we have to follow. It is a little cumbersome procedure. We have to get the opinion of the Chief Justice, Chief Minister, Governor and all that. There is some delay in it. That is why we are trying to get over it also.

At present the Government is not thinking of appointing a committee to appoint judges. We are trying to see that delays are reduced and the same existing procedure continues in the appointment of High Court Judges also.

SHRI S. MADHAVAN: Government departments are the worst litigants in our country. Litigations between the Government departments and Government undertakings are also increasing. Recently our Supreme

Court had pointed out certain defects and gave some suggestions to the Government to take action. I give the example of insurance claims. In spite of clearcut decisions and guidelines in fixing the quantum of compensation, the insurance companies are fighting in the courts for a long time and they have to pay huge sums with interest as per the court order after that. What are the steps taken to implement the suggestions of the Supreme Court to avoid court litigations between the Government wings between the Government and the citizens?

SHRI K. VIJAYA BHASKARA REDDY: Recently the Law Department has gone into the matter and I addressed a letter to all the Ministers concerned, keeping the Supreme Court's judgement in mind. I hope all the Ministers are also considering how best to avoid this. I have also mentioned in that letter that every Department must appoint a special officer to look after all these things and review the whole thing and inform the Law Ministry.

In certain cases we are allowing them to appoint *ad hoc* judges so that the arrears are cleared.

श्री रामदास अग्रवाल : सभापति जी, मैं आपके माध्यम से माननीय मंत्री जी से यह जानना चाहता हूं कि आम तौर पर यह उपदेश तो दिया जाता रहा है कि सस्ता न्याय और जल्दी न्याय सबको मिले, लेकिन सस्ता न्याय कब मिलेगा जबकि न्याय जल्दी मिलेगा और जल्दी न्याय कब मिलेगा जबकि जजेज जितने आवश्यक हैं कोर्ट्स में, उनकी नियुक्तियां समय पर अत्यंत शीघ्रता के साथ की जायें, क्योंकि न्याय सुलभ हो, सस्ता हो, उसके लिए और अन्यान्य व्यवस्थाओं के बारे में प्रश्न नहीं पूछूंगा, लेकिन मैं माननीय मंत्री जी से पूछना चाहता हूं कि हाई कोर्ट्स के अंदर जजेज की एप्वाइंटमेंट्स को लेकर अनेक बार सरकारों की सिफारिशें आने के उपरांत भी क्यों नहीं जजेज के एप्वाइंटमेंट्स हो पाये हैं ?

मैं राजस्थान का उदाहरण, मंत्री जी को बताना चाहता हूं ।

श्री सभापति : आप स्पेसिफिक उदाहरण मत दीजिए ।

श्री रामदास अग्रवाल : नहीं, मैं उदाहरण इसलिए देना चाहता हूं कि यह मामला आखिर न्याय के साथ जुड़ा हुआ है।

छह महीने से अधिक समय से इनके पास कई बार सरकार की तरफ से इनकी इक्वायरीज का भी उत्तर इनको दे दिया गया है, लेकिन राजस्थान में तीन जजेज के मामले को लेकर लगभग छह से आठ महीने का विलम्ब हुआ है । अभी तक भी सरकार ने उस पर निर्णय करके राज्य सरकार को सूचित नहीं किया है । मैं निवेदन करना चाहता हूं कि आखिर इतना विलम्ब जो इन मामलों में होता है, उसके पीछे कोई राजनीतिक या अन्य कोई प्रशासनिक कारण हैं, जिसके कारण इतना विलम्ब होता है ?

SHRI K. VIJAYA BHASKARA REDDY: Sir, I do not agree with the views expressed by the hon. Member. Perhaps, he does not know the facts. That is why he is talking whatever he wanted to. After I took over as the Law Minister, there is not a single case which has been deferred after getting the recommendations from the Chief Justice of India and the Chief Justices of High Courts. We have been following strictly a method. All these we send to the Chief Justice of India; and whatever he recommends we are following that. There is bound to be some delay in the process because if the Chief Justice changes and a new man comes, it is the duty of the Government of India to consult him also. If the Government changes then also we refer them back to the Chief Minister. That is how this delay is caused. Delay is not caused at the level of the Government of

India. We are not politicising the issue. If at all it was done earlier, I want to aovid this keeping these institution in mind in the interest of democarcy. The sanctity of the High Courts and the Supreme Court must be preserved. For that we are following certain principles.

श्री रामदास अग्रवाल: सभापति जी, माननीय मंत्री जी ने यह कहा है कि मैं जानकारी के अभाव के कारण जो कुछ कह रहा हूं, वह गलत कह रहा हूं। मैं माननीय मंत्री को इस बात का चैलेंज देना चाहता हूं कि राजस्थान में तीन हाई कोर्ट के जजेज का मामला उनकी सरकार के पास लगभग छह से आठ महीने से वेटिंग पड़ा है और जो मैंने कहा हैं वह बिलकुल सच है। अगर वह सच नहीं है, तो सदन जो भी मुझे सजा देगा, मैं उसको स्वीकार करने के लिए तैयार हूं।

इस प्रकार की बातें कह कर सदन को गुमराह नहीं किया जाना चाहिए।

श्री दिग्विजय सिंह : सभापति जी, यह तो बड़ा सीरियस एलीगेशन है।

SHRI K. VIJAYA BHASKARA REDDY: Should I answer this question, Sir? I can answer it. Even now, I say, he does not know the facts. There is a procedure that is to be followed. As I said earlier, if the Chief Minister of the State changes, we have to refer the matter again. If the Chief Justice changes we have to refer the matter again. That process is going on. Absolutely there is no delay at our level.

श्री राम दास अग्रवाल : हर बार तीन-तीन, चार-चार बार रेकोनेडेशंस आ चुकी है राजस्थान सरकार ने तीन-तीन चार-चार बार लिख कर भेज दिया है। केवल राजनीतिक कारणों से जजेज के एप्वाइंटमेंट रोके जा रहे हैं, क्योंकि वहां पर भारतीय जनता पार्टी की सरकार है और केंद्र में कांग्रेस की सरकार है।..... **(व्यवधान)** इसलिए जजेज की एप्वाइंटमेंट को **रोका** जा रहा है।

श्री सभापति : मैं क्या करूं : वह कहते हैं कि जो उन्होंने किया, वह बिलकुल कायदे के अंदर किया है।..... **(व्यवधान)**

SHRI YASHWANT SINHA: He has challenged the Member that he does not know the facts.

SHRI K. VIJAYA BHASKARA REDDY: Yes. (*Interruptions*)

SHRI YASHWANT SINHA: The hon. Member is prepared... (*Interruptions*)

SHRI SINKANDER BAKHT: The hon. Minister does not say whether these appointments have been made or not. If they have not been made, why not? (*Interruptions*)

श्री रामदास अग्रवाल : एक बार होगा, दो बार होगा, तीन-तीन बार कंस्टीट्यूशन नहीं बदला जा सकता।... **(व्यवधान)**

श्री सभापति : बैठिए। दोनों की राय में इत्तफाक नहीं है, मैं क्या करूं। अगर उन को कुछ कहना है तो वह कह सकते हैं। ... **(व्यवधान)**... मैं और कुछ नहीं कर सकता।

SHRI JAGDISH PRASAD MATHUR: This is a speific question on Rajasthan. What is the position? (*Interruptions*) The hon. Minister cannot challenge a Member like this He has made baseless allegations against the Member. It was wrong. He should withdraw the allegations.

श्री सिकन्दर बख्त : उसका जो हिन्दुस्तानी में तर्जमा है वह मेन्टरी नहीं है।

†[شری سکندر بخت : اسکا کوئی بیس ہے وہ تو ہندوستانی میں ترجمہ ہے وہ تو پارلیمنٹری نہیں ہے ۔]

SHRI JAGDISH PRASAD MATHUR: He cannot make any allegation on baseless information. I would request the hon. Minister to withdraw his words. (*Interruptions*)

SHRI K. VIJAYA BHASKARA REDDY: It is a fact. I do not agree with the views of the Member.

श्री सिकन्दर बख्त : सदर साहब, अगर आप मुझे इजाजत दें तो जो कुछ मिनिस्टर साहब ने फर्माया उसको हिन्दी में कहूं । वह हिन्दी में अनपार्लियामेंटरी है थारोली।]

†[شری سکندر بخت صدر صاحب اگر آپ مجھے اجازت دیں تو جو کچھ منسٹر صاحب نے فرمایا اسکو ہندی میں کہوں - وہ ہندی میں ان پارلیمنٹری ہے تھارولی . . .]

SHRI JAGDISH PRASAD MATHUR: Sir, he should withdraw his words. I demand that he should withdraw his words, or, it should be expunged.

श्री सभापति : माथुर साहब, जरा शांत रहिए । . . . (**व्यवधान**) . . . आप दोनों शांत रहिए तथा बात सुनिए । वह यह कह रहे हैं—

He does not know the situation.

श्री रामदास अग्रवाल : महोदय, मैं एक बात निवेदन करना चाहता हूं . . . (**व्यवधान**) . . . अगर मंत्री महोदय चाहते है

श्री सभापति : आप बैठ जाइये । . . . (**व्यवधान**) . . . आप बैठ जाइये, प्लीज ।

श्री रामदास अग्रवाल : मैं एक बात आपसे निवेदन करना चाहता हूं, सभापति जी ।

श्री सभापति : आप बैठ जाइये । सुनिए, वह यह कह रहे है कि आपको नहीं मालूम है, आपको सरकारी फाईल में उनके यहां क्या है, उसके लिए वह कहते हैं कि आपको नहीं मालूम है और प्रोसीजर क्या है, वह नहीं मालूम है । . . . (**व्यवधान**)

श्री सिकन्दर बख्त : अब सही हिन्दुस्तानी में तर्जमा कर रहा हूं । . . . (**व्यवधान**)

†[شری سکندر بخت: اب صحیح ہندوستانی میں ترجمہ کر رہا ہوں . . . (مداخلت) . . .]

SHRI JAGDISH PRASAD MATHUR: He should not politicise the issue. (*Interruptions*)

SHRI K. VIJAYA BHASKARA REDDY: Has he looked into that file?

SHRI JAGDISH PRASAD MATHUR: No.

SHRI K. VIJAYA BHASKARA REDDY: How does he know that?

Mr. Chairman, Sir, what I am saying is based on the mterial that is available with me. There is a procedure in regard to the appointment of judges. We have to consult the Chief Justice. We have to consult the Chief Minister The Government of India asked many times. The Chief Minister of Rajasthan met me recently. He entirely agreed with the pocedure which I mentioned to him. As I said arlier, we have not deviated from that procedure. We do not want to politicise it. We want to preserve it. He has not seen the file. That is why he is talking like this.

†[ ] Transliteration in Arabic script.

श्री राम दास अग्रवाल : महोदय, प्रश्न फाईल देखने का नहीं है। . . . (व्यवधान)

SHRI V. NARAYANASAMY: Mr. Chairman, Sir, the hon. Minister of Law and Justice has clearly said that they would like to keep the judiciary away from politics, that they would like to maintain the independence of the judiciary. Therefore, I would like to know from the hon. Minister whether the Government will appoint a Committee of eminent personalities for the purpose of selecting High Court judges, to avoid political considertaions. This is the complaint. Therefore, I would like to know whether they will appoint a Committee.

MR. CHAIRMAN: This is your suggestion.

SHRI V. NARAYANASAMY: Now, part (b).

MR. CHAIRMAN: How many parts?

SHRI V. NARAYANASAMY: Sir, in the case of subordinate judiciary, they moved the High Court. The High Court passed an order giving them some additional benefits, including increase in the upper-age limit from 58 to 60, and other fringe benefits. But these have not been implemented by the Government of India. The Government wants to improve the service conditions of the subordinate judiciary also, for the purpose of providing speedy remedy. Therefore, I would like to know whether the Government will implement the order of the High Court in regard to subordinate judiciary.

SHRI K. VIJAYA BHASKARA REDDY: This has not been brought to my notice. I will look into it if he writes to me. As far as the other things are concerned, the Government of India has taken care to improve the service conditions of the High Court judges, Supreme Court judges, as well as judges at the lower level. I do not know about this. If he brings it to my notice, I will reply. As far as the High Court and Supreme Court judges are concerned, we have taken a number of steps in consultation with the Chief Justice of India.

DR. YELAMANCHILI SIVAJI: Sir, one of the reasons for the delay in disposing of cases by the Supreme Court is that a number of cases are from the South. The litigants are far away from the Supreme Court—from Tamil Nadu, Karnataka, Andhra Pradesh, Kerala as well as the West—and since the two Ministers both the Cabinet Minister and the Minister of State, are from South, is there any proposal to loacte a bench of the Supreme Court in one of these capitals in the South?

Second part of my question is that in Andhra Pradesh, there is a long-pending demand to locate a bench of the High Court in between Vijayawada and Guntur. No decision has yet been taken in this regard. On the other hand, the number of Judges in Andhra Pradesh is much less when compared to places like Kerala. Kerala is having something like 44 Judges on their bench whereas Andhra Pradesh is running with only 30 Judges and the situation is the same in Karnataka too. In Karnataka, there are about 38 or 40 Judges. So is there any proposal to increase the number of Judges in Andhra Pradesh High Court to dispose of the cases and to save the litigants?

SHRI K. VIJAYA BHASKARA REDDY: Sir, as far as the Supreme Court Bench in South and also the benches of various High Courts in other places are concerned, again, we follow a particular principle. So far as the High Courts are concerned, we ask the opinion of the Chief Minister and the Chief Justice of the High Court and if they unanimously recommend, we accept the same. In the same why, for the Supreme Court

Benches, we refer the matter to the Supreme Court and if they accept, we will accept. But in this case, the matter was referred to the Supreme Court a number of times but they have not accepted having a bench anywhere else except Delhi. So, that question doesn't arise.

The other thing is about the strength of Judges in Andhra Pradesh. Perhaps, the Member is not aware of the latest position. I know there was shortage of Judges in Andhra Pradesh. It was only 26. Recently, I passed an order increasing the strength to 36.

Rehabilitation of Textile Workers in Madhya Pradesh

*164. SHRI SURESH PACHOURI Will the Minister of TEXTILES be pleased to state:

(a) whether it is a fact that under the Textile Workers Rehabilitation Fund Scheme, textile workers were given rehabilitation assistance by Government;

(b) if so, what are the details thereof upto the period ending 31st December, 1991;

(c) what is the number of textile workers from the State of Madhya Pradesh who were paid cash assistance under the scheme during the said period; and

(d) what other welfare schemes have been launched by Government for textile workers in the country, particularly, in Madhya Pradesh?

THE MINISTER OF STATE OF THE MINISTRY OF TEXTILES (SHRI ASHOK GEHLOT): (a) to (d) A Statement is laid on the Table of the House.

Statement

(a) Yes, Sir.

(b) As on 31-12-91, the details of disbursement under Textile Workers Rehabilitation Fund Scheme are as under:

State	No. of Workers paid (in Rs.)	Amount paid (in Rs.)
Gujarat	12,546	29,89,62,459
Tamil Nadu	1,786	2,31,45,116
Delhi	4,816	8,18,99,781
Maharashtra	1,201	1,86,71,900
	20,349	36,26,79,256

(c) and (d) Since none of the Textile Mills of Madhya Pradesh is covered under Textile Workers Rehabilitation Fund Scheme, no payment has been made. At present, there are no other welfare schemes.